

THE EFFECTIVE DATE OF THIS ORDINANCE IS FEBRUARY 4, 2003

ORDINANCE NO. 03-01-324

ORDINANCE OF
THE BOARD OF COUNTY COMMISSIONERS
OF FREDERICK COUNTY, MARYLAND

Re: Reduction of Established Benefit Assessment for Drainage Improvements
on Certain Lots in the Manorwood Subdivision

RECITALS

Pursuant to the authority contained in Chapter 2-13 of the Code of Public Local Laws of Frederick County, the Board of County Commissioners of Frederick County, Maryland ("Board") created the Manorwood Service Area and Manorwood Drainage District by Resolution No. 02-18 on August 20, 2002. The Board also adopted Ordinance No. 02-19-315 on August 20, 2002, by which benefit assessments were placed on each lot which adjoined the roadside drainage swales from which the removal of riprap was to be undertaken by the County. The benefit assessments represented the proportional share to be paid by the owners of each property based upon the estimated costs of the proposed improvements. Ordinance No. 02-19-315 was recorded among the land records for Frederick County, Maryland at Liber 3242, folio 1231.

The Board has determined that it is appropriate that each lot benefited by the improvements bear a proportional share of the costs incurred in removing the riprap and replacing it with sod, based upon the length of the riprap along the lot frontage.

Following the adoption of Resolution No. 02-18 and Ordinance No. 02-19-315, the Division of Public Works proceeded with the removal of the riprap and the replacement with sod. At the completion of the work, the actual costs were determined

PC: CAO, PLANNING, DPW, BABB, WRIGHT, ROGERS, GRASSMICK, FICE

and found to be lower than the estimated costs. Therefore, it is appropriate for the Board to adjust the benefit assessments to reflect the actual costs.

A public hearing was held on the proposed revised benefit assessments on Tuesday, February 4, 2003, at which time the lot owners and the public were given the opportunity to comment on the proposed Ordinance. Notice of the public hearing was also mailed to the subject property owners as shown on the property tax rolls of the Maryland State Department of Assessments and Taxation.

NOW THEREFORE BE IT ENACTED AND ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY, MARYLAND, that the properties listed herein shall be assessed the amount(s) specified as the proportionate cost incurred to provide the benefit to that lot;

AND BE IT FURTHER ENACTED AND ORDAINED that Ordinance No. 02-19-315 is superseded by this Ordinance;

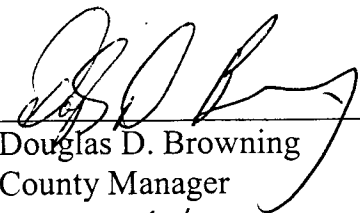
AND BE IT FURTHER ENACTED AND ORDAINED that these assessments shall be collected by the Treasurer of Frederick County in annual installments over a ten (10) year period, plus interest at the rate of 5.00% per annum, provided however, that each lot owner may pay the entire amount of this assessment within thirty (30) days of the effective date of this Ordinance and thereby incur no interest charge;

AND BE IT FURTHER ENACTED AND ORDAINED, that this Ordinance shall be recorded among the Land Records of Frederick County, Maryland and shall be a lien against the properties referenced below, subject only to prior State and County taxes.

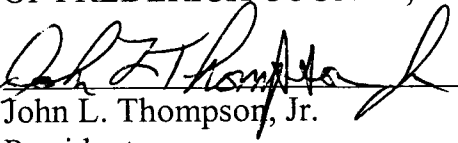
| Lot Owner | Lot Address | Lot No. | Linear Foot Lot Frontage of Construction | Revised Benefit Assessment |
|--|---|-------------|--|----------------------------|
| Mr. & Mrs. Richard S. Canova | 4021 Bunker Court Mt. Airy, MD 21771 | 114 | 73.5 | \$1,263.69 |
| Mr. & Mrs. John P. Thiede | 4023 Bunker Court Mt. Airy, MD 21771 | 115 | 109.5 | \$1,882.63 |
| Margaret E. & Gary R. Kastner | 4025 Bunker Court Mt. Airy, MD 21771 | 116 | 11.0 | \$189.12 |
| Mr. & Mrs. David Huffman | 4022 Bunker Court Mt. Airy, MD 21771 | 121 | 70.5 | \$1,212.11 |
| Mr. & Mrs. Paul J. O'Connor | 4020 Bunker Court Mt. Airy, MD 21771 | 122 | 145.0 | \$2,492.99 |
| Mr. & Mrs. Kevin A. Robertshaw | 4001 Wedge Court Mt. Airy, MD 21771 | 123 | 96.5 | \$1,659.13 |
| Mr. & Mrs. Jerry Koutavas | 4003 Wedge Court Mt. Airy, MD 21771 | 124 | 17.0 | \$292.28 |
| Mr. & Mrs. Nicholas J. Caretti | 4002 Wedge Court Mt. Airy, MD 21771 | 127 | 22.5 | \$386.84 |
| Jamie A. Stone Tracy A. Lagault | 4000 Wedge Court Mt. Airy, MD 21771 | 128 | 198.5 | \$3,412.81 |
| Manorwood Homeowners Assoc. c/o Mr. Jim Baxter, President 4130 Lomar Terrace Mt. Airy, MD 21771 | | Parcel L | 10.0 | \$171.93 |

The undersigned hereby certify that this Ordinance was approved and adopted on
this 4th day of February, 2003.

ATTEST:


Douglas D. Browning
County Manager
WR 2/4/03

BOARD OF COUNTY COMMISSIONERS
OF FREDERICK COUNTY, MARYLAND

 (SEAL)
John L. Thompson, Jr.
President